

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

GEOTAG, INC.,

v.

2:10-cv-265

**FRONTIER COMMUNICATIONS CORP.,
et al.,**

GEOTAG, INC.,

v.

2:10-cv-272

YELLOWPAGES.com LLC

GEOTAG, INC.,

v.

2:10-cv-569

GEORGIO ARMANI S.P.A., *et al.*,

GEOTAG, INC.,

v.

2:10-cv-570

AROMATIQUE, INC., *et al.*,

GEOTAG, INC.,

v.

2:10-cv-571

GUCCI AMERICA, INC., *et al.*,

GEOTAG, INC.,

v.

2:10-cv-572

STARBUCKS CORP., *et al.*,

GEOTAG, INC.,

v.

2:10-cv-573

RENT-A-CENTER, INC., *et al.*,

GEOTAG, INC.,

v.

2:10-cv-574

THE WESTERN UNION COMPANY, *et al.*,

GEOTAG, INC.,

v.

2:10-cv-575

ROYAL PURPLE, INC., *et al.*,

GEOTAG, INC.,

v.

2:10-cv-587

YAKIRA, L.L.C., *et al.*,

GEOTAG, INC.,

v.

2:11-cv-175

WHERE 2 GET IT, INC., *et al.*,

GEOTAG, INC.,

v.

2:11-cv-403

ZOOSK, INC.

GEOTAG, INC.,

v.

2:11-cv-404

**EYE CARE CENTERS OF AMERICA, INC.,
et al.,**

GEOTAG, INC.,

v.

2:11-cv-405¹

CIRCLE K STORES, INC., *et al.*,

GEOTAG, INC.,

v.

2:11-cv-421

AMERCO, *et al.*,

GEOTAG, INC.,

v.

2:11-cv-424

7-ELEVEN, INC., *et al.*,

GEOTAG, INC.,

v.

2:11-cv-425

SUNBELT RENTALS, INC.

GEOTAG, INC.,

v.

2:11-cv-426

CLASSIFIED VENTURES, LLC

¹ Including Case Nos. 2:12-cv-436 through 488.

GEOTAG, INC.,

v.

2:12-cv-43

CANON INC., et al.,

WHERE 2 GET IT, INC.,

v.

2:12-cv-149

GEOTAG, INC.

GEOTAG, INC.,

v.

2:12-cv-443

BURBERRY LIMITED

**DEFENDANTS' NOTICE OF COMPLIANCE
WITH SCHEDULING AND DISCOVERY ORDER**

In compliance with Section II, Subparagraph 5 of the Court's August 3, 2012 Scheduling and Discovery Order (*see e.g.*, Case No. 2:10-cv-570 at Dkt. No. 465), the under-signed Defendants respectfully provide notice and designate Willem G. Schuurman of Vinson & Elkins LLP and the defendants represented by Mr. Schuurman as "Lead Defendant" for the purposes of Claim Construction in the above-captioned actions.²

² For the reasons set forth in its Emergency Motion to Stay Scheduling Order Deadlines and Objection to Scheduling Order (Dkt. No. 422), in order to preserve its rights, Defendant J. Crew Group, Inc. ("J. Crew") restates its objection to the requirement that the defendants designate a Lead Defendant. The following parties also join in J. Crew's objection: HEB Grocery Co., PSP Group, LLC, Domino's Pizza, Inc., Terex Corporation, Diesel U.S.A., Inc., Applied Industrial Technologies, Inc., Canon U.S.A., Inc., and Academy Ltd.

Dated: August 17, 2012

Respectfully submitted,

/s/ Willem G. Schuurman

Willem G. Schuurman (TX Bar No. 17855200)

Avelyn M. Ross (TX Bar No. 24027871)

Ajeet P. Pai (TX Bar No. 24060376)

James D. Shead (TX Bar No. 24070609)

Patrick Doll (TX Bar No. 24078432)

VINSON & ELKINS L.L.P.

2801 Via Fortuna, Suite 100

Austin, Texas 78746-7568

Tel: (512) 542-8400

Fax: (512) 236-3218

bschuurman@velaw.com

aross@velaw.com

apai@velaw.com

jshead@velaw.com

pdoll@velaw.com

ATTORNEYS FOR DEFENDANTS

**7-ELEVEN, INC., BARE ESCENTUALS, INC.,
BURBERRY LIMITED, CHRISTIAN DIOR
PERFUMES, LLC, CRABTREE & EVELYN,
LTD., DONNA KARAN INTERNATIONAL
INC., GOLD'S GYM INTERNATIONAL, INC.,
LVMH MOET HENNESSY LOUIS VUITTON,
INC., AND SEPHORA USA INC.**

/s/ Michael A. Bittner

Neil J. McNabney

Texas Bar No. 24002583

njm@fr.com

Michael A. Bittner

Texas Bar No. 24064905

mrb@fr.com

Jane J. Du

Texas Bar No. 24076355

jjd@fr.com

FISH & RICHARDSON P.C.

1717 Main Street, Suite 5000

Dallas, Texas 75201

(214) 747-5070 - Telephone

(214) 747-2091 - Facsimile

COUNSEL FOR DEFENDANTS

**AMERICA GREETINGS CORPORATION; ASICS
AMERICA CORP.; AVIS BUDGET GROUP, INC.;
AVIS RENT A CAR SYSTEM, LLC; BEST MAID
PRODUCTS, INC.; BJ'S WHOLESALE CLUB, INC.;
THE BOEING COMPANY; BROOKSTONE COMPANY,
INC.; BURGER KING CORP.; CABELA'S, INC.;
CHANEL, INC.; CHARMING SHOPPES INC.; CICI
ENTERPRISES, LP D/B/A/ CICI'S PIZZA; DAVID'S
BRIDAL INC.; DOCTOR'S ASSOCIATES, INC. D/B/A
SUBWAY; DOLLAR RENT A CAR, INC.; DOLLAR
THRIFTY AUTOMOTIVE GROUP, INC.; DOLLAR
TREE, INC.; FORMAL SPECIALISTS LTD.; GATES
THAT OPEN, LLC D/B/A/ MIGHTY MULE; GUESS?
RETAIL INC.; INTERSTATE BATTERY SYSTEMS OF
AMERICA, INC.; JACK IN THE BOX, INC.; JOS. A.
BANK CLOTHIERS INC.; KOHLER CO.; KUBOTA
TRACTOR CORP.; LEARNING EXPRESS, INC.; LIVE
NATION WORLDWIDE, INC.; LUXOTTICA RETAIL
NORTH AMERICA INC.; MEXICAN RESTAURANTS,
INC.; PIP, INC. D/B/A PIP PRINTING AND
MARKETING SERVICES; POLO RALPH LAUREN
CORP.; RADIO SHACK CORP.; RALPH LAUREN
MEDIA, LLC; RHINO LININGS CORP.;
RICHEMONT NORTH AMERICA, INC. D/B/A
CARTIER; SEVEN FOR ALL MANKIND, LLC;
SOUTHERN STATES COOPERATIVE; STERLING
JEWELERS, INC. D/B/A JARED THE GALLERIA OF
JEWELRY D/B/A KAY JEWELERS; TICKETMASTER
L.L.C.; THRIFTY, INC.; ULTA SALON, COSMETICS**

**& FRAGRANCE, INC.; VAN CLEEF & ARPELS, INC.;
VITAMIN COTTAGE FOOD MARKETS, INC.; WINN-
DIXIE STORES, INC.**

/s/ Brian K. Buss

Danny L. Williams

Lead Counsel

State Bar No. 21518050

Brian K. Buss

State Bar No. 00798089

WILLIAMS, MORGAN & AMERSON, P.C.

10333 Richmond Avenue, Suite 1100

Houston, Texas 77042

Telephone: (713) 934-7000

Fax: (713) 934-7011

dwilliams@wmalaw.com

bbuss@wmalaw.com

ATTORNEY FOR DEFENDANTS

**BESTBUY.COM, LLC; OLD NAVY, LLC;
TARGET CORP.; NORDSTROM, INC.;
BANANA REPUBLIC, LLC; GAP INC.;
COSTCO WHOLESALE CORP.; PETCO
ANIMAL SUPPLIES, INC.; PETCO ANIMAL
SUPPLIES STORES, INC.; ZALE
DELAWARE, INC.; STARBUCKS CORP.;
DUNKIN' BRANDS, INC.; DUNKIN' DONUTS,
LLC; DARDEN CORP.; MCDONALD'S
CORP.; CVS PHARMACY, INC.; CUMMINS,
INC.; DEERE & CO.; RITE AID CORP.; A&W
RESTAURANTS, INC.; KFC CORP.; LONG
JOHN SILVER'S, INC.; PIZZA HUT, INC.;
TACO BELL CORP.; JC PENNEY
CORPORATION, INC.; SPATIALPOINT LLC;
WAL-MART STORES, INC.; COLDWATER
CREEK, INC.; SALLY BEAUTY SUPPLY,
LLC; L.A. FITNESS INTERNATIONAL, LLC;
BALLY TOTAL FITNESS CORP.; EDDIE
BAUER LLC; and HALLMARK CARDS
INCORPORATED**

/s/ Jason W. Cook

Robert L. Lee (GA Bar No. 443978)
bob.lee@alston.com
Kamran Jivani (GA Bar No. 510908)
kamran.jivani@alston.com
ALSTON & BIRD LLP
One Atlantic Center
1201 West Peachtree Street
Atlanta, GA 30309-3424
Phone: (404) 881-7000
Fax: (404) 881-7777

Jason W. Cook (TX Bar No. 24028537)
jason.cook@alston.com
Derek S. Neilson (TX Bar No. 24072255)
derek.neilson@alston.com
ALSTON & BIRD LLP
2828 North Harwood Street, Suite 1800
Dallas, TX 75201
Phone: (214) 922-3400
Fax: (214) 922-3899

**COUNSEL FOR DEFENDANTS AFC
ENTERPRISES, INC.; BASS PRO, INC.; BPS
DIRECT, L.L.C.; BASS PRO OUTDOORS
ONLINE, L.L.C.; DILLARD'S, INC.; HOBBY
LOBBY STORES, INC. D/B/A HOBBY LOBBY
CREATIVE CENTERS D/B/A HOBBY
LOBBY; JOANN.COM, LLC AND JO-ANN
STORES, INC.; GAMESTOP CORP.; THE
TJX COMPANIES, INC. D/B/A TJ MAXX;
BARNES & NOBLE, INC. AND
BARNESANDNOBLE.COM, LLC; BIG LOTS,
INC. AND BIG LOTS STORES, INC.; GUCCI
AMERICA, INC.; LESLIE'S POOLMART,
INC. D/B/A LESLIE'S POOLMART D/B/A
LESLIE'S SWIMMING POOL SUPPLIES
D/B/A LESLIE'S; PANERA BREAD
COMPANY AND PANERA, LLC;
AUTOZONE, INC.; CARMAX BUSINESS
SERVICES, LLC AND CARMAX, INC.;
BRAKE CENTERS OF THE SOUTHWEST,
INC. D/B/A JUST BRAKES AND JUST
BRAKES OF NEVADA, INC. D/B/A JUST
BRAKES; O'REILLY AUTOMOTIVE, INC.**

D/B/A O'REILLY AUTO PARTS; THE PEP BOYS – MANNY, MOE & JACK D/B/A PEP BOYS; FAMILY DOLLAR STORES, INC. AND FAMILY DOLLAR, INC.; MATTRESS GIANT CORPORATION; WHOLE FOODS MARKET IP, L.P. AND WHOLE FOODS MARKET SERVICES, INC.; CLARK EQUIPMENT COMPANY D/B/A BOBCAT COMPANY; GRACO, INC.; THE KROGER CO.; DILLON COMPANIES, INC. D/BA DILLON FOOD STORES D/BA DILLONS D/B/A BAKER'S SUPERMARKETS D/B/A CITY MARKET D/B/A KING SOOPERS D/B/A GERBES SUPER MARKETS; FOOD 4 LESS GM, INC.; FOOD 4 LESS HOLDINGS, INC.; FRED MEYER STORES, INC. D/B/A QUALITY FOOD CENTERS D/B/A QFC; KROGER LIMITED PARTNERSHIP I D/B/A JAYC FOOD STORES D/B/A PAY LESS SUPER MARKETS; KROGER LIMITED PARTNERSHIP II; KROGER TEXAS L.P.; PAY LESS SUPER MARKETS, INC.; RALPHS GROCERY COMPANY D/B/A RALPHS D/B/A FOOD 4 LESS D/B/A FOODS CO.; SMITH'S FOOD & DRUG CENTERS, INC. D/B/A SMITH'S FOOD & DRUG STORES D/B/A SMITH'S D/B/A FRY'S FOOD STORES; THE VALSPAR CORPORATION; BELK, INC.; CMRG APPAREL, LLC; BUTH-NA-BODHAIGE, INC.; CATALOGUE VENTURES, INC.; BROWN SHOE COMPANY, INC.; BURLINGTON COAT FACTORY WAREHOUSE CORP.; THE WILLIAM CARTER COMPANY; CHICO'S FAS, INC.; CITI TRENDS, INC.; COLLECTIVE BRANDS, INC.; GUITAR CENTER, INC.; RITZ INTERACTIVE LLC; DOTS, LLC; THE FINISH LINE, INC.; ROYAL PURPLE, INC.; SOLUTIA, INC.

/s/ Jason W. Cook

Robert L. Lee
Bob.lee@alston.com
Kamran Jivani
Kamran.jivani@alston.com
Alston & Bird LLP
One Atlantic Center
1201 West Peachtree St.
Atlanta, GA 30309
Telephone: (404) 881-7000
Facsimile: (404) 881-7777

Adam D. Swain
Adam.swain@alston.com
Alston & Bird LLP
The Atlantic Building
950 F Street, N.W.
Washington, DC 20004
Telephone: (202) 756-3300
Facsimile: (202) 756-3333

Jason W. Cook
Jason.cook@alston.com
Derek S. Neilson
Derek.neilson@alston.com
Alston & Bird LLP
2828 Harwood St., Suite 1800
Dallas, TX 75201
Telephone: (214) 922-3400
Facsimile: (214) 922-3899

**COUNSEL FOR DEFENDANTS
KOHL'S ILLINOIS INC., KOHL'S
DEPARTMENT STORES INC., KOHL
CORPORATION, COACH INC., STAPLES
INC., PAPA JOHNS INTERNATIONAL, INC.,
PAPA JOHNS USA INC., DUNKIN BRANDS,
INC. D/B/A DUNKIN DONUTS, DUNKIN
DONUTS, INC., BRINKER INTERNATIONAL,
INC. D/B/A ROMANO'S MACARONI GRILL
D/B/A MAGGIANO'S LITTLE ITALY, THE
HERTZ CORP. D/B/A HERTZ CORP. D/B/A
HERTZ CAR RENTAL, FIFTH THIRD
BANCORP D/B/A FIFTH THIRD BANK,
OFFICEMAX INC., STEELCASE INC.,
SUNTRUST BANKS INC. D/B/A SUNTRUST**

**BANK, SUNTRUST INVESTMENT SERVICES
INC., HOME DEPOT USA, INC. D/B/A THE
HOME DEPOT, WALGREENS, SONIC
CORPORATION, WENDY'S/ARBY'S GROUP,
INC., WENDY'S INTERNATIONAL INC.,
WENDY'S/ARBY'S RESTAURANTS,
LLC.; OLDEMARK LLC; ANN, INC.; BOSE
CORP.; 24 HOUR FITNESS USA, INC.;
VITAMIN SHOPPE INDUSTRIES, INC.;
GREAT CLIPS INC. AND JOS. A. BANK
CLOTHIERS INC.**

/s/ Brian C. McCormack

Mark D. Taylor
Texas Bar No. 19713250
mark.taylor@bakermckenzie.com
Brian C. McCormack
Texas Bar No. 00797036
brian.mccormack@bakermckenzie.com
Andrew C. Moreton
Texas Bar No. 24074755
andrew.moreton@bakermckenzie.com
BAKER & MCKENZIE LLP
2300 Trammell Crow Center
2001 Ross Avenue
Dallas, TX 75201
Tel. (214) 978-3000
Fax (214) 978-3099

**COUNSEL FOR DEFENDANTS
NEW ALBERTSON'S, INC.; AROMATIQUE,
INC.; AS AMERICA, INC.; BOB EVANS
FARMS, INC.; BOB EVANS RESTAURANTS
OF MICHIGAN, LLC; CEC
ENTERTAINMENT, INC.; CEC
ENTERTAINMENT CONCEPTS, L.P.;;
ESPRIT US RETAIL LIMITED; HEELING
SPORTS, LTD.; HUGO BOSS FASHIONS,
INC.; LITTLE CAESAR ENTERPRISES, INC.;
PIGGLY WIGGLY, LLC; and QUEST
DIAGNOSTICS INCORPORATED**

/s/ Robert M. Fuhrer

George M. Sirilla (admitted pro hac vice)
Jack S. Barufka (admitted pro hac vice)
Robert M. Fuhrer (admitted pro hac vice)
PILLSBURY WINTHROP SHAW PITTMAN LLP
1650 Tysons Blvd., 14th Floor
McLean, VA 22102
703.770.7900 – Telephone
703.770.7901 – Facsimile

**ATTORNEYS FOR DEFENDANTS
BASS PRO, INC., BPS DIRECT, L.L.C., AND BASS
PRO OUTDOORS ONLINE, L.L.C.**

/s/ Deron R. Dacus

Deron R. Dacus
State Bar No. 00790553
The Dacus Firm, P.C.
821 ESE Loop 323, Suite 430
Tyler, TX 75701
903/705-1117 (phone & fax)
ddacus@dacusfirm.com

Matthew A. Williams
KY Bar No. 90727
WYATT, TARRANT & COMBS, LLP
PNC Plaza, Suite 2800
500 West Jefferson Street
Louisville, Kentucky 40202-2898
Phone: (502) 562-7378
Facsimile: (502) 589-0309
mwilliams@wyattfirm.com

***Counsel for Cracker Barrel Old Country
Store, Inc.***

/s/ Michael C. Smith

Michael C. Smith (TX Bar #18650410)
Siebman, Burg, Phillips & Smith, LLP
P.O. Box 1556
113 E. Austin Street
Marshall, TX 75671-1556
(903) 938-8900
michaelsmith@siebman.com

Robert J. Lenihan, II (*pro hac vice*)
Brent G. Seitz (*pro hac vice*)
Harness, Dickey & Pierce, P.L.C.
5445 Corporate Drive, Suite 200
Troy, MI 48098
(248) 641-1600
rjlenihan@hdp.com
bseitz@hdp.com

ATTORNEYS FOR LA-Z-BOY INCORPORATED

/s/ Gregory F. Ahrens

Gregory F. Ahrens
Ohio State Bar No. 0038627
(Admitted in the ED TX)
gahrens@whepatent.com
Wood, Herron & Evans, L.L.P.
441 Vine Street, 2700 Carew Tower
Cincinnati, OH 45202
Tel: (513) 241-2324
Fax: (513) 241-6234

**ATTORNEY FOR DEFENDANT
NATIONAL INTERLOCK SYSTEMS, INC.; DSW, INC.**

/s/ Michael J. Harris

Christopher J. Renk (Lead Attorney)

IL Bar No. 6199012

crenk@bannerwitcoff.com

Thomas K. Pratt

IL Bar No. 6209761

tpratt@bannerwitcoff.com

Michael J. Harris

IL Bar No. 6280168

mharris@bannerwitcoff.com

Banner & Witcoff, LTD.

10 S. Wacker Drive, Ste. 3000

Chicago, IL 60606

Tel: (312) 463-5000

Fax: (312) 463-5001

ATTORNEYS FOR DEFENDANT NIKE, INC.

/s/ Brian W. LaCorte

Brian W. LaCorte (AZ Bar No. 012237)

Jonathon A. Talcott (MN Bar No. 0391457)

BALLARD SPAHR LLP

1 East Washington Street, Suite 2300

Phoenix, Arizona 85004

Telephone: (602) 798-5400

Fax: (602) 798-5595

lacorteb@ballardspahr.com

talcottj@ballardspahr.com

William Cornelius (TX Bar No. 04834700)

WILSON, ROBERTSON & CORNELIUS, P.C.

P.O. Box 7339

Tyler, Texas 75711-7339

Telephone: (903) 509-5000

Facsimile: (903) 509-5091

wc@wilsonlawfirm.com

**ATTORNEYS FOR DEFENDANTS
THE REINALT-THOMAS CORPORATION;
AMERCO; EMOVE, INC.; U-HAUL
INTERNATIONAL, INC.; U-HAUL LEASING
& SALES CO.; AND WEB TEAM
ASSOCIATES, INC.**

/s/ Jeremy S. Snodgrass

J. Thad Heartfield
Texas Bar No. 09346800
M. Dru Montgomery
Texas Bar No. 24010800
THE HEARTFIELD LAW FIRM
2195 Dowlen Road
Beaumont, Texas 77706
Telephone: (409) 866-3318
Fax: (409) 866-5789
thad@jth-law.com
dru@jth-law.com

Of counsel:
Ralph J. Gabric
Tadashi Horie
Rickard K. DeMille
Jeremy S. Snodgrass
BRINKS HOFER GILSON & LIONE
NBC Tower, Suite 3600
455 North Cityfront Plaza Drive
Chicago, IL 60611-5599
(312) 321-4200 (telephone)
(312) 321-4299 (facsimile)

**ATTORNEYS FOR DEFENDANTS SEIKO
CORPORATION OF AMERICA,
SEIKO INSTRUMENTS INC., AND
SEIKO WATCH CORP.**

/s/ R. Kyle Hawes

CHAMBERLAIN, HRDLICKA, WHITE,
WILLIAMS & MARTIN, P.C.

R. Kyle Hawes

kyle.hawes@chamberlainlaw.com

SBN: 00796725

1200 Smith Street, Suite 1400

Houston, Texas 77002

Telephone: 713-658-1818

Facsimile: 713-658-2553

GREENSFELDER, HEMKER & GALE, P.C.

Mary Ann L. Wymore

mlw@greensfelder.com

(Pro Hac Vice)

J. Andrew Walkup

aw@greensfelder.com

(Pro Hac Vice)

10 South Broadway, Suite 2000

St. Louis, Missouri 63102

Telephone: 314-241-9090

Facsimile: 314-345-5499

**ATTORNEYS FOR DEFENDANT
JIM'S FORMAL WEAR CO.**

/s/ Elizabeth L. DeRieux

S. Calvin Capshaw, III
State Bar No. 03783900
Elizabeth L. DeRieux
State Bar No. 05770585
D. Jeffrey Rambin
State Bar No. 00791478
Capshaw DeRieux, LLP
114 E. Commerce Ave.
Gladewater, Texas 75647
903) 236-9800 Telephone
(903) 236-8787 Facsimile
E-mail: ccapshaw@capshawlaw.com
E-mail: ederieux@capshawlaw.com
E-mail: jrambin@capshawlaw.com

Michael N Zachary
Christensen O'Connor Johnson Kindness PLLC
1420 Fifth Ave
Ste 2800
Seattle, WA 98101
206-682-8100
Fax: 206-224-0779
Email: michael.zachary@cojk.com

**Counsel for Defendant
Pacific Bioscience Laboratories, Inc.**

/s/ Fran Aden

Fran Aden
S.D. Texas No. 611072
State Bar No. 24050202
HUNTON & WILLIAMS LLP
700 Louisiana, Suite 4200
Houston, Texas 77002
(713) 229-5700 (Telephone)
(713) 229-5750 (Facsimile)
faden@hunton.com

**ATTORNEY FOR DEFENDANT
THE SCOTTS COMPANY LLC**

/s/ Lindsay L. Hargrove

Lindsey L. Hargrove
State Bar No. 24065373
MCGUIREWOODS LLP
JPMorgan Chase Tower
600 Travis Street, Suite 7500
Houston, TX 77002-2906
Telephone: (713) 571-9191
Fax: (713) 571-9652
Email: lhargrove@mcguirewoods.com

David E. Finkelson (admitted *pro hac vice*)
Derek H. Swanson (admitted *pro hac vice*)
Virginia Bar No. 73463
Lead Counsel
MCGUIREWOODS LLP
One James Center
901 East Cary Street
Richmond, VA 23219
Telephone: (804) 775-1000
Fax: (804) 775-1061
Email: dfinkelson@mcguirewoods.com
Email: dswanson@mcguirewoods.com

**COUNSEL FOR DEFENDANTS
REMINGTON ARMS COMPANY, INC. AND
STIHL INCORPORATED**

/s/ Eric H. Findlay

Eric H. Findlay
State Bar No. 00789886
Brian Craft
State Bar No. 04972020
Findlay Craft, LLP
Principal Office:
6760 Old Jacksonville Hwy
Suite 101 Tyler, Texas 75703
Tel: (903) 534-1100
Fax: (903) 534-1137
Email: efindlay@findlaycraft.com
Email: bcraft@findlaycraft.com

Joseph V. Saphia
W. Edward Bailey
Wiggin and Dana LLP
450 Lexington Avenue
Suite 3800
New York, NY 10017
Tel: (212) 490-1700
Fax: (212) 490-0536
Email: jsaphia@wiggin.com
Email: ebailey@wiggin.com

**Attorneys for Defendants
AutoNation, Inc. and American Eagle Outfitters
Inc.**

/s/ Scott Partridge

Scott F. Partridge

Texas Bar No. 00786940

Email: scott.partridge@bakerbotts.com

Elizabeth Durham

Texas Bar No. 24045815

Email: liz.durham@bakerbotts.com

William P. Rothwell

Texas Bar No. 24066005

Email: william.rothwell@bakerbotts.com

BAKER BOTTS L.L.P.

One Shell Plaza

910 Louisiana Street

Houston, Texas 77002-4995

Telephone: (713) 229-1569

Facsimile: (713) 229-7769

**ATTORNEYS FOR DEFENDANT HEB
GROCERY COMPANY, LP**

/s/ Laura A. Wytsma

Jordan A. Sigale

LOEB & LOEB LLP

321 North Clark Street, Suite 2300

Chicago, IL 60610-4746

Telephone: (312) 464-3100

Facsimile: (312) 464-3111

jsigale@loeb.com

Laura A. Wytsma

LOEB & LOEB LLP

10100 Santa Monica Blvd., Ste. 2200

Los Angeles, California 90067

Telephone: (310) 282-2000

lwysma@loeb.com

Eric H. Findlay

FINDLAY CRAFT, LLP

6760 Old Jacksonville Hwy, Suite 101

Tyler, Texas 75703

Telephone: (903) 534-1100

EFindlay@FindlayCraft.com

**Attorneys for Defendant Ingersoll-Rand
Company**

/s/ Charles Ainsworth

Charles Ainsworth
State Bar No. 00783521
Parker, Bunt & Ainsworth, P.C.
100 E. Ferguson, Suite 1114
Tyler, Texas 75702
Telephone: 903.531.3535
Facsimile: 903.533.9687
Email: charley@pbatyler.com

Of Counsel:

Michael A. Cohen (Admitted Pro Hac Vice)
Schwabe Williamson & Wyatt PC
1211 S.W. Fifth Avenue, Suite 1600
Portland, Oregon 97204
Telephone: 503.796.2488
Facsimile: 503.796-2900
Email: mcohen@schwabe.com

Attorneys for Defendants

**Columbia Sportswear Company, Columbia
Sportswear North America, Inc., and Columbia
Sportswear USA Corp.**

/s/ Kirby B. Drake

Darin M. Klemchuk
State Bar No. 24002418
Casey L. Griffith
State Bar No. 24036687
Kirby B. Drake
State Bar No. 24036502
KLEMCHUK KUBASTA LLP
8150 N. Central Expy., 10th Floor
T: 214.367.6000
F: 214.367.6001
darin.klemchuk@kk-llp.com
casey.griffith@kk-llp.com
kirby.drake@kk-llp.com

ATTORNEYS FOR DEFENDANT ACADEMY, LTD.

/s/ J. Thad Heartfield

J. Thad Heartfield
Texas Bar No. 09346800
E-mail: thad@jth-law.com
M. Dru Montgomery
Texas Bar No. 24010800
E-mail: dru@jth-law.com
THE HEARTFIELD LAW FIRM
2195 Dowlen Road
Beaumont, Texas 77706
Telephone: (409) 866-3318
Fax: (409) 866-5789

John G. Bisbikis
Illinois Bar No. 6209732
E-mail: jbisbikis@mwe.com
Avani C. Macaluso
Illinois Bar No. 6280832
E-mail: amacaluso@mwe.com
MCDERMOTT WILL & EMERY, LLP
227 West Monroe Street, Suite 4400
Chicago, Illinois 60606
Telephone: (312) 372-2000
Fax: (312) 984-7700

**COUNSEL FOR DEFENDANT
CRAFTMASTER MANUFACTURING, INC.**

/s/ J. Thad Heartfield

J. Thad Heartfield
Texas Bar No. 09346800
E-mail: thad@jth-law.com
M. Dru Montgomery
Texas Bar No. 24010800
E-mail: dru@jth-law.com
THE HEARTFIELD LAW FIRM
2195 Dowlen Road
Beaumont, Texas 77706
Telephone: (409) 866-3318
Fax: (409) 866-5789

**COUNSEL FOR DEFENDANT,
CALIFORNIA PIZZA KITCHEN, INC.**

/s/ James S. Blackburn

James S. Blackburn (*Pro Hac Vice*)
James.blackburn@aporter.com
Ali R. Sharifahmadian (*Pro Hac Vice*)
Ali.sharifahmadian@aporter.com
ARNOLD & PORTER LLP
777 South Figueroa Stree
44th Floor
Los Angeles, CA 90017-5844
Telephone: +1 213.243.4000
Facsimile: +1 213.243.4199

Michael E. Jones
State Bar No. 10929400
mikejones@potterminton.com
Allen F. Gardner
State Bar No. 24043679
allengardner@potterminton.com
Daniel A. Noteware, Jr.
State Bar No. 24051123
dannynoteware@potterminton.com
POTTER MINTON
110 N. College Ave., Suite 500
Tyler, Texas 75702
Tel: (903) 597-8311
Fax: (903) 593-0846

Attorneys for Defendants

***Local.com Corporation; Dex One Corporation;
Yellow Book USA, Inc.; Yelp!, Inc.; CityGrid
Media, LLC; Match.com SN, LLC; Match.com,
LLC; ServiceMagic, Inc.; People Media, Inc.;
International Coffee & Tea, LLC; and Crocs Inc.***

/s/ Keith A. Robb

DOUGLAS D. FLETCHER

Attorney in Charge

Texas State Bar No. 07139500

email: doug.fletcher@fletcherfarley.com

KEITH A. ROBB

Texas State Bar No. 24004889

email: keith.robbs@fletcherfarley.com

FLETCHER, FARLEY,

SHIPMAN & SALINAS, L.L.P.

8750 N. Central Expressway

Dallas, Texas 75231, 16th Floor

214-987-9600

214-987-9866 (Facsimile)

**ATTORNEYS FOR DEFENDANT
TASER INTERNATIONAL, INC.**

/s/ Michael J. Zinna

Charles Ainsworth
State Bar No. 00783521
Email: charley@pbatyler.com
Parker, Bunt & Ainsworth, P.C.
100 E. Ferguson, Suite 1114
Tyler, Texas 75702
Phone: (903) 531-3535
Fax: (903) 533-9687

OF COUNSEL:

John F. Ward
Email: jward@wardzinna.com
Michael J. Zinna
Email: mzinna@wardzinna.com
David G. Lindenbaum
Email: dlindenbaum@wardzinna.com
Patrick R. Colsher
Email: pcolsher@wardzinna.com
Matthew C. Berntsen
Email: mberntsen@wardzinna.com
WARD & ZINNA, LLC
380 Madison Avenue
New York, New York 10017
Phone: (212) 697-6262
Fax: (212) 972-5866

**Attorneys for Defendant
Godiva Chocolatier, Inc.**

/s/ Terence P. Ross

Jennifer Parker Ainsworth
Texas Bar No. 00784720
jainsworth@wilsonlawfirm.com
WILSON, ROBERTSON & CORNELIUS, P.C.
909 ESE Loop 323, Suite 400
P.O. Box 7339 [75711]
Tyler, Texas 75701
Telephone: (903) 509-5000
Facsimile: (903) 509-5092

Terence P. Ross (pro hac vice)
tross@crowell.com
Jeffrey D. Ahdoot (pro hac vice)
jahdoot@crowell.com
CROWELL & MORING, LLP
1001 Pennsylvania Avenue, N.W.
Washington, DC 20004-2595
Telephone: (202) 624-2500
Facsimile: (202) 628-5116

**Attorneys for Defendants Enterprise Holdings,
Inc. and Vanguard Car Rental USA, LLC**

/s/ Trey Yarbrough

Trey Yarbrough
Bar No. 22133500
Debby E. Gunter
Bar No. 24012752
YARBROUGH ♦ WILCOX, PLLC
100 E. Ferguson St., Ste. 1015
Tyler, TX 75702
Telephone: (903) 595-3111
Facsimile: (903) 595-0191
trey@yw-lawfirm.com
debby@yw-lawfirm.com

Anthony F. Lo Cicero
Richard S. Mandaro
Benjamin Charkow
AMSTER ROTHSTEIN & EBENSTEIN LLP
90 Park Avenue
New York, NY 10016
Telephone: (212) 336-8000
Facsimile: (212) 336-8001
DineEq-GTag@arelaw.com

**ATTORNEYS FOR DEFENDANTS APPLEBEE'S
INTERNATIONAL, INC. AND APPLEBEE'S IP, LLC**

/s/ Anthony F. Lo Cicero

Anthony F. Lo Cicero
Richard S. Mandaro
Benjamin Charkow
AMSTER ROTHSTEIN & EBENSTEIN LLP
90 Park Avenue
New York, NY 10016
Telephone: (212) 336-8000
Facsimile: (212) 336-8001
DineEq-GTag@arelaw.com

**ATTORNEYS FOR DEFENDANTS IHOP IP, LLC
AND DINEEQUITY, INC.**

/s/ R. David Donoghue

Michael C. Smith
Siebman, Burg, Phillips & Smith, LLP
113 East Austin Street
P.O. Box 1556
Marshall, Texas 75671-1556
(903) 938-8900 (office)
(972) 767-4620 (fax)
michaelsmith@siebman.com

R. David Donoghue (Pro hac vice)
Steven E. Jedlinski (Pro hac vice)
Daniel L. Farris (Pro hac vice)
HOLLAND & KNIGHT LLP
131 South Dearborn Street, 30th floor
Chicago, IL 60603
Tel: (312) 263-3600
Fax: (312) 578-6666
david.donoghue@hklaw.com
daniel.farris@hklaw.com

Attorneys for Defendant Herman Miller, Inc.

/s/ Jeff Eichen

Jeffrey L. Eichen
Delaware State Bar No. 5331
Connolly Bove Lodge & Hutz LLP
1007 N. Orange Street, 9th floor
P.O. Box 2207
Wilmington, DE 19899
Tel.: (302) 888-6304
Fax: (302) 658-5614
jeichen@cblh.com

Marisa M. Schouten
State Bar No. 24039163
Martin Walker, P.C.
522 S. Broadway Ste 200
Tyler, Texas 75702
Tel.: (903) 526-1600
Fax: (903) 595-0796

***Attorney for Defendants Dress Barn, Inc. and
Maurices Incorporated***

/s/ Benjamin Hershkowitz

Benjamin Hershkowitz
GIBSON, DUNN & CRUTCHER LLP
200 Park Avenue, 47th Floor
New York, New York 10166-0193
Telephone: (212) 351-4000
Facsimile: (212) 351-4035
bhershkowitz@gibsondunn.com

**Attorney for Defendant/Counterclaimant
Footlocker.com, Inc.**

/s/ Michael A. Oakes

Edward F. Fernandes
Hunton & Williams LLP
111 Congress Avenue, Suite 1800
Austin, TX 78701
Telephone: (512) 542-5000
Facsimile: (512) 542-5049
E-mail: efernandes@hunton.com

Michael A. Oakes
Hunton & Williams LLP
2200 Pennsylvania Ave, NW
Washington, DC 20037
Telephone: (202) 955-1500
Facsimile: (202) 778-7459
E-mail: moakes@hunton.com

**ATTORNEYS FOR LOWE'S HOME
CENTERS, INC**

/s/ Eric H. Findlay

Eric H. Findlay
Texas Bar No. 00789886
Brian Craft
Texas Bar No. 04972020
Walter W. Lackey, Jr.
Texas Bar No. 24050901
FINDLAY CRAFT, LLP
6760 Old Jacksonville Hwy
Suite 101
Tyler, TX 75703
Telephone: (903) 534-1100
Facsimile: (903) 534-1137
efindlay@findlaycraft.com
bcraft@findlaycraft.com
wlackey@findlaycraft.com

William E. Devitt
Tiffany P. Cunningham (admitted pro hac vice)
Ian J. Block (admitted pro hac vice)
Kirkland & Ellis - Chicago
300 N. LaSalle Street
Chicago, IL 60654
Phone: 312-862-2000
Fax: 312-862-2200
Email: wdevitt@kirkland.com
tiffany.cunningham@kirkland.com
ian.block@kirkland.com

**COUNSEL FOR DEFENDANTS
ADVANCE AUTO PARTS, INC, ADVANCE
STORES COMPANY, INC., E-ADVANCE
LLC, AND HANESBRANDS, INC.**

/s/ Phong D. Nguyen

Robert G Abrams - LEAD ATTORNEY
Gregory J. Commins, Jr.
Phong D. Nguyen (TX Bar No. 24002690)
Baker & Hostetler LLP
Washington Square, Suite 1100
1050 Connecticut Avenue, NW
Washington, DC 20036-5304
T: (202) 861-1500
F: (202) 861-1783
rabrams@bakerlaw.com
gcommins@bakerlaw.com
pnguyen@bakerlaw.com

**Attorneys for Defendant
Caterpillar Inc.**

/s/ Stayton L. Worthington

Don V. Kelly, (Pro Hac Vice)
Eugene P. Schmittgens Jr., (Pro Hac Vice)
Benjamin M. Fletcher (Pro Hac Vice)
Evans & Dixon, LLC
211 N. Broadway, Suite 2500
St. Louis, Missouri 63102
Telephone: 314-552-4066
Facsimile: 314-884-4466
dkelly@evans-dixon.com
gschmittgens@evans-dixon.com
bfletcher@evans-dixon.com

Coghlan Crowson, LLP
Stayton L. Worthington
State Bar No. 22010200
1127 Judson Road, Suite 211
P.O.Box 2665
Longview, Texas 75606

**ATTORNEYS FOR DEFENDANT
THE SWAN CORPORATION**

/s/ Allison H. Altersohn

Douglas R. McSwane, Jr.
State Bar No. 13861300
dougmcswane@potterminton.com
POTTER MINTON
110 N. College, Ste. 500
Tyler, TX 75702
Telephone: (903) 597-8311
Fax: (903) 593-0846

Allison H. Altersohn (admitted pro hac vice)
aaltersohn@kslaw.com
Jonathan D. Ball (admitted pro hac vice)
jball@kslaw.com
KING & SPALDING LLP
1185 Avenue of the Americas
New York, NY 10036
Telephone: (212) 556-2100
Facsimile: (212) 556-2222

**ATTORNEYS FOR DEFENDANT
AVON PRODUCTS, INC**

/s/ Melissa Richards Smith

Melissa Richards Smith
Texas State Bar No. 24001351
GILLAM & SMITH, L.L.P.
303 South Washington Avenue
Marshall, Texas 75670
Telephone: (903) 934-8450
Facsimile: (903) 934-9257
E-mail: melissa@gillamsmithlaw.com

**ATTORNEYS FOR DEFENDANTS
THE WESTERN UNION COMPANY;
WESTERN UNION HOLDINGS, INC.; and
PIZZA INN, INC.**

/s/ Michael C. Smith

Michael C. Smith (TX Bar #18650410)
Siebman, Burg, Phillips & Smith, LLP
P.O. Box 1556
113 E. Austin Street
Marshall, TX 75671-1556
(903) 938-8900
michaelsmith@siebman.com

Alan M. Fisch
District of Columbia Bar No. 453068
KAYE SCHOLER LLP
The McPherson Building
901 Fifteenth St., NW
Washington, DC 20005-2327
(202) 682-3500 telephone
(202) 682 3580 fax
Email: alan.fisch@kayescholer.com

Attorney for TA Operating LLC

/s/ Roy W. Hardin

Roy W. Hardin
LOCKE LORD BISSELL & LIDDELL LLP
2200 Ross Avenue, Suite 2200
Dallas, TX 75201
Phone: (214) 740-8000
Fax: (214) 740-8800
rhardin@lockelord.com

Steven F. Meyer
David H. T. Kane
LOCKE LORD BISSELL & LIDDELL LLP
Three World Financial Center
New York, NY 10281-2101
Phone: (212) 415-8600
Fax: (212) 303-2754
smeyer@lockelord.com
dkane@lockelord.com

Brian W. Brokate
Jeffrey E. Dupler
GIBNEY, ANTHONY, & FLAHERTY LLP
665 Fifth Avenue
New York, NY 10022
Phone: (212) 688-5151
Fax: (212) 688-8315
bwbrokate@gibney.com
jdupler@gibney.com

**ATTORNEYS FOR DEFENDANT
ROLEX WATCH USA, INC.**

/s/ Stewart Mesher

Stewart Mesher
Attorney-in-Charge
CONLEY ROSE, P.C.
2508 Ashley Worth Blvd., Suite 200
Austin, TX 78738
Phone: (512) 610-3410
Fax: (512) 610-3456
Email: smesher@conleyrose.com

**ATTORNEY FOR DEFENDANT
MR. GATTI'S, L.P.**

/s/ Deron R. Dacus

Deron R. Dacus
State Bar No. 00790553
Shannon M. Dacus
State Bar No. 00791004
THE DACUS FIRM, P.C.
821 ESE Loop 323, Suite 430
Tyler, Texas 75701
Tel: 903.705.1117
Fax: 903.705.1117
ddacus@dacusfirm.com
sdacus@dacusfirm.com

Michael A. Swartzendruber
State Bar No. 19557702
FULBRIGHT & JAWORSKI LLP
2200 Ross Avenue, Suite 2800
Dallas, TX 75201
Tel: 214.855.8000
Fax: 214.855.8200
mswartzendruber@fulbright.com

Michael C. Barrett
State Bar No. 24006803
Mark T. Garrett
State Bar No. 24007225
Sarah R. Holland
State Bar No. 24055679
FULBRIGHT & JAWORSKI LLP
600 Congress Avenue, Suite 2400
Austin, TX 78701
Tel: 512.474.5201
Fax: 512.536.4598
mbarrett@fulbright.com
sholland@fulbright.com

*Counsel for Counsel for Cinemark Holdings, Inc.;
Cinemark USA, Inc.; Christus Health a/k/a
Christus Health Non-Profit Corp.; Christus
Health Foundation; Dollar General Corp.;
National Vision, Inc.; Office Depot, Inc.; Regis
Corporation; and Spencer Gifts LLC.*

/s/ Thomas W. Cunningham

FRANK A. ANGILERI

fangileri@brookskushman.com

THOMAS W. CUNNINGHAM

tcunningham@brookskushman.com

JOHN LEROY

jleroy@brookskushman.com

1000 Town Center, 22nd Floor

Southfield, Michigan 48075

Tel: (248) 358-4400

Fax: (248) 358-3351

COUNSEL FOR DEFENDANTS

DOMINO'S PIZZA, INC. and

TEREX CORPORATION

/s/ Margaret Elizabeth Day

Margaret Elizabeth Day (CA Bar No. 177125)
Admitted to Practice
Email: eday@feinday.com
FEINBERG DAY ALBERTI & THOMPSON LP
401 Florence Street, Suite 200
Palo Alto, CA 94301
Telephone: (650) 618.4360
Facsimile: (650) 618.4368

**Attorneys for Defendant
MONSTER CABLE PRODUCTS, INC.**

/s/ Debby E. Gunter

Debby E. Gunter
debby@yw-lawfirm.com
Herbert A. Yarbrough, III
trey@yw-lawfirm.com
YARBROUGH ♦ WILCOX
100 E. Ferguson Street, Suite 1015
Tyler, TX 75702
Tel: 903-595-3111
Fax: 903-595-0191

**COUNSEL FOR DEFENDANT
ROSS STORES, INC.**

/s/ Allen F. Gardner

Michael E. Jones
State Bar No. 10929400
mikejones@potterminton.com
Allen F. Gardner
State Bar No. 24043679
allengardner@potterminton.com
POTTER MINTON
A Professional Corporation
110 N. College Ave., Suite 500
Tyler, Texas 75702
Tel: (903) 597 8311
Fax: (903) 593 0846

Brian E. Turung
FAY SHARPE
1228 Euclid Avenue, Suite 500
Cleveland, Ohio 44115
Tel: (216) 363-9000
Fax: (216) 363-9001

**COUNSEL FOR DEFENDANT
APPLIED INDUSTRIAL TECHNOLOGIES,
INC.**

/s/ Scott Stevens

Scott Stevens
State Bar No. 00792024
STEVENS LOVE
P.O. Box 3427
Longview, Texas 75606
Telephone: 903-753-6760
Facsimile: 903-753-6761
scott@stevenslove.com

Daniel J. Schwartz
SEYFARTH SHAW LLP
131 S. Dearborn Street - Suite 2400
Chicago, Illinois 60603
Telephone: (312) 460-5000
Facsimile: (312) 460-7000
dschwartz@seyfarth.com

**ATTORNEYS FOR WHERE2GETIT, INC.; VF
OUTDOOR, INC. D/B/A THE NORTH FACE; CHICK-
FIL-A, INC.; MONSTER CABLE PRODUCTS, INC.;
PATAGONIA, INC.; TCF Co. LLC, THE
CHEESECAKE FACTORY INC.; VIEWSONIC CORP.;
AND THE TIMBERLAND CO. D/B/A TIMBERLAND
Co.**

/s/ Timothy S. Durst

Timothy S. Durst
Lead Attorney
Texas Bar No. 00786924
tim.durst@bakerbotts.com
Chad C. Walters
Texas Bar No. 24034730
chad.walters@bakerbotts.com
Susan Cannon Kennedy
Texas Bar No. 24051663
susan.kennedy@bakerbotts.com
BAKER BOTTS L.L.P.
2001 Ross Avenue, Suite 600
Dallas, Texas 75201-2980
Telephone: 214-953-6500
Facsimile: 214-953-6503

Christopher W. Kennerly
Texas Bar No. 00795077
chris.kennerly@bakerbotts.com
BAKER BOTTS L.L.P.
620 Hansen Way
Palo Alto, California 94304
Telephone: 650-739-7502
Facsimile: 650-739-7601

Benjamin R. Johnson
Texas Bar No. 24065495
ben.johnson@bakerbotts.com
BAKER BOTTS L.L.P.
98 San Jacinto Boulevard, Suite 1500
Austin, TX 78701-4078
Telephone: 512-322-2500
Facsimile: 512-322-2501

**ATTORNEYS FOR DEFENDANTS
YELLOWPAGES.COM LLC, AT&T
MOBILITY LLC AND AT&T SERVICES, INC.**

/s/ Matthew A. Braunel

Dean L. Franklin
dfranklin@thompsoncoburn.com
Matthew A. Braunel
mbraunel@thompsoncoburn.com
Anthony F. Blum
ablum@thompsoncoburn.com
THOMPSON COBURN LLP
One US Bank Plaza
St. Louis, MO 63101
314-552-6000
FAX 314-552-7000

**Attorney for Defendant
GANDER MOUNTAIN COMPANY**

/s/ Michael E. Schonberg

Bruce S. Sostek
State Bar No. 18855700
Bruce.Sostek@tklaw.com
Michael E. Schonberg
State Bar No. 00784927
Mike.Schonberg@tklaw.com
Vishal Patel
State Bar No. 24065885
Vishal.Patel@tklaw.com
Thompson & Knight LLP
One Arts Plaza
1722 Routh St., Suite 1500
Dallas, Texas 75201
214.969.1700
214.969.1751 (Fax)

**Attorneys for Defendants
VF Corporation;
VF Jeanswear, L.P.**

/s/ Dru Montgomery

J. Thad Heartfield
Texas Bar No. 09346800
thad@jth-law.com
Dru Montgomery
Texas Bar No. 24010800
dru@jth-law.com
THE HEARTFIELD LAW FIRM
2195 Dowlen Road
Beaumont, Texas 77706
Telephone: (409) 866-3318
Fax: (409) 866-5789

OF COUNSEL:

Guy A. Reiss (pro hac vice)
Henry J. Cittone (pro hac vice)
REISS+PREUSS LLP
1350 Avenue of the Americas, Suite 2900
New York, NY 10019
(646) 731-2770

**ATTORNEYS FOR DEFENDANT
MIELE INCORPORATED**

/s/ Ury Fischer

Ury Fischer
Florida Bar No. 0048534
ufischer@lfiplaw.com
Lott & Fischer, PL
355 Alhambra Circle, Suite 1100
Coral Gables, FL 33134
Telephone: 305.448.7089
Facsimile: 305.446-6191

Michael E. Jones
State Bar No. 10929400
mikejones@potterminton.com
Allen F. Gardner
State Bar No. 24043679
allengardner@potterminton.com
POTTER MINTON
A Professional Corporation
110 N. College, Suite 500 (75702)
P. O. Box 359
Tyler, TX 75710
Telephone: 903.597.8311
Facsimile: 903.593.0846

**ATTORNEYS FOR DEFENDANT
BROWN JORDAN INTERNATIONAL, INC.**

/s/ Charles L. Stinneford

Charles L. Stinneford
State Bar No. 00785057
cstinneford@gordonarata.com
David V. Bryce
State Bar No. 24052876
dbryce@gordonarata.com
GORDON, ARATA, MCCOLLAM,
DUPLANTIS & EAGAN, LLC
1980 Post Oak Blvd.
Suite 1800
Houston, Texas 77056
Phone: (713) 333-5500
Fax: (713) 333-5501

*Attorneys for Payless Car Rental System, Inc. and
Avalon Global Group, Inc.*

/s/ M. Dru Montgomery

David M. Stein
Texas State Bar No. 00797494
AKIN GUMP STRAUS HAUER & FELD LLP
633 West Fifth Street, Suite 5000
Los Angeles, CA 90071
Work: 213.254.1200
Fax: 213.254.1201
dstein@akingump.com

J. Thad Heartfield
Texas Bar No. 09346800
E-mail: thad@jth-law.com
M. Dru Montgomery
Texas Bar No. 24010800
E-mail: dru@jth-law.com
The Heartfield Law Firm
2195 Dowlen Road
Beaumont, Texas 77706
Telephone: (409) 866-3318
Fax: (409) 866-5789

***Counsel for Defendants
Conn's Appliances, Inc., Conn's Inc., and Deli
Management, Inc. d/b/a Jason's Deli***

/s/ Elizabeth L. DeRieux

Elizabeth L. DeRieux
ederieux@capshawlaw.com
CAPSHAW DERIEUX, LLP
114 E. Commerce Ave.
Gladewater, Texas 75647
(903) 236-9800
(903) 236-8787

H. Jonathan Redway, Lead Attorney
jredway@dickinsonwright.com
DICKINSON WRIGHT PLLC
1875 I Street, NW, Suite 1200
Washington, DC 20006
Phone: (202) 457-0160
Fax: (202) 659-1559

Attorneys for Defendant Carhartt Inc.

/s/ James C. Tidwell

Andre R. Barry – NE Bar #22505
CLINE WILLIAMS WRIGHT
JOHNSON & OLDFATHER, L.L.P.
233 South 13th Street
1900 U.S. Bank Building
Lincoln, NE 68508-2095
(402) 474-6900
(402) 474-5393 fax
abarry@clnewilliams.com

James C. Tidwell – TX Bar #20020100
WOLFE, TIDWELL & McCOY, LLP
320 N. Travis, Suite 205
Sherman, TX 75090
(903) 868-1933
(903) 892-2397 fax
jct@wtmlaw.net

***Attorneys for Defendant
Godfather's Pizza, Inc.***

/s/ J. Thad Heartfield

J. Thad Heartfield
Texas Bar No. 09346800
thad@jth-law.com
M. Dru Montgomery
Texas Bar No. 24010800
dru@jth-law.com
THE HEARTFIELD LAW FIRM
2195 Dowlen Road
Beaumont, Texas 77706
Telephone: (409) 866-3318
Fax: (409) 866-5789

Michael R. Annis
mike.annis@huschblackwell.com
Husch Blackwell LLP
190 Carondelet Plaza, Suite, 600
Telephone: (314) 480-1500
Fax: (314) 480-1505

**Attorneys for Defendant
Bakers Footwear Group, Inc.**

/s/ Allen F. Gardner

Michael E. Jones
State Bar No. 10929400
mikejones@potterminton.com
Allen F. Gardner
State Bar No. 24043679
allengardner@potterminton.com
POTTER MINTON
A Professional Corporation
110 N. College Ave., Suite 500
Tyler, Texas 75702
Tel: (903) 597 8311
Fax: (903) 593 0846

Anthony Shaw
shaw.anthony@arentfox.com
ARENT FOX LLP
1050 Connecticut Avenue, NW
Washington, DC 20036-5339
Telephone: 202.857.6227
Fax: 202.857.6395
Attorneys for Defendant
Diesel U.S.A. Inc.

/s/ Paul B. Kerlin

Joseph M. Schreiber
Texas Bar No. 24037449
Paul B. Kerlin
Texas Bar No. 24044480
VORYS, SATER, SEYMOUR AND PEASE LLP
700 Louisiana Avenue, Suite 4100
Houston, Texas 77002
Tel: 713-588-7000
Fax: 713-588-7050
jmschreiber@vorys.com
pbkerlin@vorys.com

William H. Oldach III, pro hac vice
VORYS, SATER, SEYMOUR & PEASE LLP
1909 K Street, N.W., 9th Floor
Washington, DC 20006
Phone: 202-467-8800
Facsimile: 202-533-9024
E-mail: wholdach@vorys.com

Robert T. Veon
Texas Bar No. 20546550
VEON LAW FIRM, PA
117 E. Broad St.
Texarkana, AR 71854
Phone: 870-774-7390
Facsimile: 870-773-3690
Email: robert.veon@veonfirm.com

**ATTORNEYS FOR DEFENDANT
ABERCROMBIE & FITCH CO.**

/s/ William Cornelius

William Cornelius

State Bar No. 04834700

Wilson, Robertson & Cornelius, P.C.

P.O. Box 7339

Tyler, Texas 75711-7339

Telephone: (903) 509-5000

Facsimile: (903) 509-5091

wc@wilsonlawfirm.com

**ATTORNEYS FOR DEFENDANT
PSP GROUP, LLC D/B/A PET SUPPLIES
PLUS**

/s/ Gregory R. Lyons

J. Thad Heartfield (TX Bar # 09346800)
M. Dru Montgomery (TX Bar # 24010800)
THE HEARTFIELD LAW FIRM
2195 Dowlen Road
Beaumont, Texas 77706
Tel: (409) 866-3318
Fax: (409) 866-5789
thad@jth-law.com
dru@jth-law.com

Gregory R. Lyons
Brian H. Pandya (VA Bar # 72233)
WILEY REIN LLP
1776 K Street NW
Washington, DC 20006
Tel: (202) 719-7000
glyons@wileyrein.com
bpandya@wileyrein.com

**ATTORNEYS FOR DEFENDANT
MERLE NORMAN COSMETICS**

/s/ J. Thad Heartfield

J. Thad Heartfield
Texas Bar No. 09346800
M. Dru Montgomery
Texas Bar No. 24010800
The Heartfield Law Firm
2195 Dowlen Rd
Beaumont, TX 77706
409/866-3318
Fax: 14098665789
Email: thad@jth-law.com
dru@jth-law.com

John P Higgins
Summa Additon & Ashe, PA
11610 N Community House Rd
Suite 200
Charlotte, NC 28277-2199
704/945-6704
Fax: 704/945-6735
Email: jhiggins@summalaw.com

**Attorneys for Defendant
Hallmark Cards Inc.**

/s/ Philip J. Moy Jr.

Philip J. Moy Jr. (Ohio Bar No. 0043568)

FAY SHARPE LLP

The Halle Building, 5th Floor

1228 Euclid Avenue

Cleveland, OH 44115

Telephone: 216-363-9000

Facsimile: 216-363-9001

Email: pmoy@faysharpe.com

**Attorneys for Defendant
Things Remembered, Inc.**

/s/ Terrell R. Miller

Ronald M. Gaswirth

Texas Bar No. 07752000

Terrell R. Miller

Texas Bar No. 24046446

GARDERE WYNNE SEWELL LLP

3000 Thanksgiving Tower

1601 Elm Street

Dallas, Texas 75201-4761

Telephone: (214) 999-3000

Facsimile: (214) 999-4667

rgaswirth@gardere.com

tmiller@gardere.com

**ATTORNEYS FOR DEFENDANT
NEW ASHLEY STEWART, INC.**

/s/ Charles Clark

Charles Clark (TX #04274000)

chc@charlesclarklaw.com

CLARK & PORTER

P.O. Box 98

604 West Woldert

Tyler, TX 75702

Telephone: 903/593-2514

Facsimile: 903/595-1294

David R. Barnard (Admitted pro hac vice)

dbarnard@lathropgage.com

David R. Frye (Admitted pro hac vice)

dfrye@lathropgage.com

LATHROP & GAGE LLP

2345 Grand Blvd., Ste, 2400

Kansas City, MO 64108

Telephone: 913/292-2000

Facsimile: 913/292-2001

**ATTORNEYS FOR DEFENDANT
ALCO STORES, INC.**

/s/ Brian Craft

Brian Craft
State Bar No. 04972020
Eric H. Findlay
State Bar No. 00789886
Findlay Craft, LLP
Principal Office:
6760 Old Jacksonville Hwy
Suite 101 Tyler, Texas 75703
Tel: (903) 534-1100
Fax: (903) 534-1137
Email: bcraft@findlaycraft.com
Email: efindlay@findlaycraft.com

Of Counsel:
Brian G. Bodine (Pro Hac Vice)
Tiffany Scott (Pro Hac Vice)
1420 Fifth Avenue, Suite 4100
Seattle, Washington 98101-2338
Telephone: (206) 223-7000
Facsimile: (206) 223-7107
E-mail: bodineb@lanepowell.com
scottt@lanepowell.com

ATTORNEYS FOR INTELIOUS INC.

By: /s/

/s/ Hector J. Ribera

Hector J. Ribera
CA Bar No. 221511 (Admitted E.D. Tex.)
hribera@fenwick.com
FENWICK & WEST LLP
Silicon Valley Center
801 California Street
Mountain View, California 94041
Telephone: (650) 988-8500
Facsimile: (650) 938-5200

**Attorneys for Defendant
ZOOSK, INC.**

/s/ Lisa A. Ferrari

Martin B. Pavane (admitted *pro hac vice*)

New York Bar No. 1528819

Lisa A. Ferrari (admitted *pro hac vice*)

New York Bar No. 2411759

COZEN O'CONNOR

277 Park Avenue

New York, New York 10172

Telephone: (212) 883-4900

Telecopy: (212) 986-0604

Email: mpavane@cozen.com

lferrari@cozen.com

Kendall K. Hayden

Texas State Bar No. 24046197

COZEN O'CONNOR

1717 Main Street

Dallas, Texas 75201

Telephone: (214) 462-3000

Facsimile: (214) 462-3299

Email: khayden@cozen.com

Attorneys for Beech Nut Nutrition Corp.

/s/ Trey Yarbrough

Trey Yarbrough
Bar No. 22133500
Debby E. Gunter
Bar No. 24012752
YARBROUGH ♦ WILCOX, PLLC
100 E. Ferguson St., Ste. 1015
Tyler, TX 75702
(903) 595-3111
Fax: (903) 595-0191
tre@yw-lawfirm.com
debby@yw-lawfirm.com

Nathan D. Meyer
CA Bar No. 239850
Marc A. Fenster
CA Bar No. 181067
Larry C. Russ
CA Bar No. 082760
RUSS, AUGUST & KABAT
12424 Wilshire Boulevard, 12th Floor
Los Angeles, California 90025
(310) 826-7474
Fax: (310) 826-6991
nmeyer@raklaw.com
mfenster@raklaw.com
lruss@raklaw.com

**ATTORNEYS FOR DEFENDANT
FOREVER 21 RETAIL, INC.**

/s/ Trey Yarbrough

Trey Yarbrough
Bar No. 22133500
Debby E. Gunter
Bar No. 24012752
YARBROUGH ♦ WILCOX, PLLC
100 E. Ferguson St., Ste. 1015
Tyler, TX 75702
(903) 595-3111
Fax: (903) 595-0191
tre@yw-lawfirm.com
debby@yw-lawfirm.com

Burton S. Ehrlich
John Luther
Ladas & Parry LLP
224 S. Michigan Avenue
Chicago, IL 60604
(312) 427-1300
Fax: (312) 427-6668

**ATTORNEYS FOR DEFENDANT,
HICKORY FARMS, INC.**

/s/ Trey Yarbrough

Trey Yarbrough
Bar No. 22133500
Debby E. Gunter
Bar No. 24012752
YARBROUGH ♦ WILCOX, PLLC
100 E. Ferguson St., Ste. 1015
Tyler, TX 75702
Telephone: (903) 595-3111
Facsimile: (903) 595-0191
tre@yw-lawfirm.com
debby@yw-lawfirm.com

Anthony F. Lo Cicero
Richard S. Mandaro
Benjamin Charkow
AMSTER ROTHSTEIN & EBENSTEIN LLP
90 Park Avenue
New York, NY 10016
Telephone: (212) 336-8000
Facsimile: (212) 336-8001
DineEq-GTag@arelaw.com

**ATTORNEYS FOR DEFENDANT
DINEEQUITY, INC.**

/s/ Trey Yarbrough

Trey Yarbrough
Bar No. 22133500
Debby E. Gunter
Bar No. 24012752
YARBROUGH ♦ WILCOX, PLLC
100 E. Ferguson St., Ste. 1015
Tyler, TX 75702
Telephone: (903) 595-3111
Facsimile: (903) 595-0191
trey@yw-lawfirm.com
debby@yw-lawfirm.com

Anthony F. Lo Cicero
Richard S. Mandaro
Benjamin Charkow
AMSTER ROTHSTEIN & EBENSTEIN LLP
90 Park Avenue
New York, NY 10016
Telephone: (212) 336-8000
Facsimile: (212) 336-8001

**ATTORNEYS FOR DEFENDANT
MACY'S RETAIL HOLDINGS, INC.**

/s/ J. Matt Rowan

E. Glenn Thames, Jr.
State Bar No. 00785097
glennthames@potterminton.com
J. Matt Rowan
State Bar No. 24033137
mattrowan@potterminton.com
POTTER MINTON, A Professional Corporation
110 N. College Avenue, Suite 500
Tyler, TX 75702
(903) 597-8311 (Telephone)
(903) 593-0846 (Facsimile)

Joseph J. Richetti
joseph.richetti@bryancave.com
BRYAN CAVE LLP
1290 Avenue of the Americas
New York, NY 10104
Telephone: (212) 541-2000
Facsimile: (212) 541-4630

Thomas Jameson Adair
thomas.adair@bryancave.com
BRYAN CAVE LLP
2200 Ross Ave., Ste 3300
Dallas, TX 75201
214-721-8000
214-220-6733 (fax)

Counsel for dELiA*s, Inc.

/s/ J. Matt Rowan

E. Glenn Thames, Jr.
State Bar No. 00785097
glennthames@potterminton.com
J. Matt Rowan
State Bar No. 24033137
mattrowan@potterminton.com
POTTER MINTON, A Professional Corporation
110 N. College Avenue, Suite 500
Tyler, TX 75702
(903) 597-8311 (Telephone)
(903) 593-0846 (Facsimile)

Robert G. Lancaster
rglancaster@bryancave.com
BRYAN CAVE LLP
120 Broadway, Suite 300
Santa Monica, California 90401-2386
Tele: (310) 576-2239
Facs: (310) 260-7139

Wilhemina Joni Tyler
wilhemina.tyler@bryancave.com
BRYAN CAVE LLP
211 N Broadway, Suite 3600
St Louis, MO 63102-3600
314-259-2345
314-552-8345 (fax)

Counsel for American Apparel, Inc.

/s/ Thomas W. Cunningham

Frank A. Angileri (MI Bar No. P45611)
Thomas W. Cunningham (MI Bar No. P57899)
John S. LeRoy (MI Bar No. P61964)
BROOKS KUSHMAN P.C.
1000 Town Center, Twenty-Second Floor
Southfield, Michigan 48075
Telephone: (248) 358-4400
Facsimile: (248) 358-3351
fangileri@brookskushman.com
tcunningham@brookskushman.com
jleroy@brookskushman.com

**Attorneys for Defendants
Domino's Pizza, Inc. and Terex, Inc.**

/s/ Joel T. Beres

Joel T. Beres
Lead Counsel
Kentucky State Bar No. 84376
Jack A. Wheat
Kentucky State Bar No. 75945
Jennifer L. Kovalcik
Kentucky State Bar No. 89391
Lindsay Yeakel Capps
Kentucky State Bar No. 92726
STITES & HARBISON, PLLC
400 West Market Street
Suite 1800
Louisville, KY 40202-3352
Telephone: (502) 587-3400
Facsimile: (502) 587-6391
jberes@stites.com
jwheat@stites.com
jkovalcik@stites.com
lcapps@stites.com

**Attorneys for Defendant
Eyemart Express, Ltd.**

/s/ Jennifer Parker Ainsworth

Jennifer Parker Ainsworth
(State Bar No. 00784720)
jainsworth@wilsonlawfirm.com
Wilson, Robertson & Cornelius, P.C.
One American Center
909 ESE Loop 323, Suite 400
Tyler, Texas 75701
(903) 509-5000

Peter J. Brann
pbrann@brannlaw.com
David Swetnam-Burland
dsb@brannlaw.com
Stacy O. Stitham
sstitham@brannlaw.com
BRANN & ISAACSON
184 Main Street; P.O. Box 3070
Lewiston, ME 04243-3070
(207) 786-3566

Attorneys for J. Crew Group, Inc.

/s/ Elizabeth Flannery

Scott F. Partridge
Texas Bar No. 00786940
Email: scott.partridge@bakerbotts.com
Elizabeth Flannery
Texas Bar No. 24045815
Email: liz.flannery@bakerbotts.com
William P. Rothwell
Texas Bar No. 24066005
Email: william.rothwell@bakerbotts.com
BAKER BOTTS L.L.P.
One Shell Plaza
910 Louisiana Street
Houston, Texas 77002-4995
Telephone: (713) 229-1569
Facsimile: (713) 229-7769

**ATTORNEYS FOR DEFENDANT
HEB GROCERY COMPANY, LP**

/s/ Bradley Chambers

Bradley Chambers
Texas State Bar No. 24001860
Baker, Donelson, Bearman, Caldwell & Berkowitz
1301 McKinney
Suite 3700
Houston, Texas 77010
(713) 286-7193 - Direct
(713) 650-9701 - Fax
bchambers@bakerdonelson.com

Bradley E. Trammell (Of Counsel)
Tennessee State Bar No. 013980
Baker, Donelson, Bearman, Caldwell & Berkowitz
165 Madison Avenue, Suite 2000
Memphis, Tennessee 38103
Telephone: (901) 577-2121
Facsimile: (901) 577-0781
btrammell@bakerdonelson.com

**Attorneys for Defendant
Fred's, Inc.**

/s/ Darren W. Saunders

John M. Jackson
Texas Bar No. 24002340
jjackson@jw.com
Matthew C. Acosta
Texas Bar No. 24062577
macosta@jw.com
JACKSON WALKER L.L.P.
901 Main Street, Suite 6000
Dallas, TX 75202
Telephone: (214) 953-6000
Facsimile: (214) 661-6645

Darren W. Saunders (admitted pro hac vice)
dsaunders@manatt.com
Alpa V. Patel (admitted pro hac vice)
avpatel@manatt.com
MANATT PHELPS & PHILLIPS LLP
Seven Times Square
New York, New York 10036
Tel: (212) 790-4500
Fax: (212) 790-4545

**ATTORNEYS FOR DEFENDANT
H&M HENNES & MAURITZ, L.P.**

/s/ Allen Gardner

Jan M. Conlin (pro hac vice)
Thomas C. Mahlum (pro hac vice)
Andrew J. Pieper (pro hac vice)
ROBINS, KAPLAN, MILLER & CIRESI L.L.P.
2800 LaSalle Plaza
800 LaSalle Avenue
Minneapolis, MN 55402-2015
T: 612-349-8500
F: 612-339-4181

Michael E. Jones (TX. No. 10929400)
POTTER MINTON P.C.
110 N. College
500 Plaza Tower
Tyler, TX 75702
T: (903) 597-8311
F: (903) 593-0846

**ATTORNEYS FOR DEFENDANT
GREAT CLIPS, INC.**

/s/ Allen Gardner

Jan M. Conlin (pro hac vice)
Thomas C. Mahlum (pro hac vice)
Andrew J. Pieper (pro hac vice)
ROBINS, KAPLAN, MILLER & CIRESI L.L.P.
2800 LaSalle Plaza
800 LaSalle Avenue
Minneapolis, MN 55402-2015
T: 612-349-8500
F: 612-339-4181

Michael E. Jones (TX. No. 10929400)
POTTER MINTON P.C.
110 N. College
500 Plaza Tower
Tyler, TX 75702
T: (903) 597-8311
F: (903) 593-0846

**ATTORNEYS FOR DEFENDANT
M.A.C. COSMETICS, INC.**

/s/ David Bassett

David Bassett
WilmerHale
399 Park Avenue
NY, NY 10022
212.230.8858 (Telephone)
212.230.8888 (Facsimile)
David.Bassett@wilmerhale.com

John M. Jackson
Nicole Ruble Metcalf
JACKSON WALKER L.L.P.
901 Main Street, Suite 6000
Dallas, Texas 75202-3797
Telephone: (214) 953-6000
jjackson@jw.com
nmetcalf@jw.com

**Attorneys for Defendant
The Yankee Candle Company, Inc.**

/s/ Scott S. Brown

Scott S. Brown
MAYNARD, COOPER & GALE, P.C.
2400 Regions/Harbert Plaza
1901 Sixth Avenue North
Birmingham, AL 35203-2618
Tel: (205) 254-1232
Fax: (205) 254-1999
scottbrown@maynardcooper.com

**Attorney for Defendant
Factory Connection LLC**

/s/ Allen F. Gardner

Michael E. Jones
State Bar No. 10929400
mikejones@potterminton.com
Allen F. Gardner
State Bar No. 24043679
allengardner@potterminton.com
Daniel A. Noteware, Jr.
State Bar No. 24051123
dannynoteware@potterminton.com
POTTER MINTON
A Professional Corporation
110 N. College Ave., Suite 500
Tyler, Texas 75702
Tel: (903) 597 8311
Fax: (903) 593 0846

**ATTORNEYS FOR DEFENDANT
JIMMY JAZZ E-COMMERCE, LLC**

/s/ Thomas L. Duston

Thomas L. Duston
State Bar. No.: 6196612
tduston@marshallip.com
Cullen N. Pendleton, Ph.D.
State Bar. No.: 6283725
cpendleton@marshallip.com
MARSHALL, GERSTEIN & BORUN LLP
6300 Willis Tower
233 South Wacker Drive
Chicago, IL 60606-6357
T: 312.474.6300

**Attorneys for Defendant
Classified Ventures, LLC**

/s/ Theodore Stevenson III

Theodore Stevenson, III
Lead Attorney
Texas State Bar No. 19196650
tstevenson@mckoolsmith.com
Stacie L. Greskowiak
Texas State Bar No. 24074311
sgreskowiak@mckoolsmith.com
300 Crescent Court, Suite 1500
Dallas, Texas 75201
Phone: (214) 978-4000
Fax: (214) 978-4044

COUNSEL FOR BILLABONG RETAIL INC.

/s/ J. Daniel Harkins

J. Daniel Harkins
State Bar No. 09008990
dharkins@coxsmith.com
Marissa Dawn Helm
State Bar No. 24046273
mhelm@coxsmith.com

COX SMITH MATTHEWS INCORPORATED
112 E. Pecan Street, Suite 1800
San Antonio, Texas 78205
(210) 554-5500
(210) 226-8395 (Fax)

Attorneys for Visionworks of America, Inc.

/s/ Andrew C. Warnecke

Andrew C. Warnecke (admitted pro hac vice)
Joshua J. HeideIman (admitted pro hac vice)
Bryan Cave LLP
161 N. Clark St., Suite 4300
Chicago, IL 60601
Telephone: (312) 602-5000
Fax: (312) 602-5050
andrew.warnecke@bryancave.com
joshua.heideIman@bryancave.com

Thomas J. Adair
Texas Bar No. 24047753
Bryan Cave LLP
JP Morgan Chase Tower
2200 Ross Avenue, Suite 3300
Dallas, Texas 75201
Telephone: (214) 721-8000
Fax: (214) 721-8100
thomas.adair@bryancave.com

**ATTORNEYS FOR DEFENDANT
BIOSCRIP, INC**

/s/ Andy H. Chan

Thomas F. Fitzpatrick
CA State Bar No. 193565
tfitzpatrick@goodwinprocter.com
Andy H. Chan
CA State Bar No. 242660
achan@goodwinprocter.com
GOODWIN PROCTER LLP
135 Commonwealth Drive
Menlo Park, CA 94025
(650) 752-3100 (Telephone)
(650) 853-1038 (Facsimile)

Charles Ainsworth
State Bar No. 00783521
Parker, Bunt & Ainsworth, P.C.
charley@pbatyler.com
100 E. Ferguson, Suite 1114
Tyler, TX 75702
(903) 531-3535 telephone
(903) 533-9687 fax
charley@pbatyler.com

**Attorneys for Defendant
Draper's & Damon's, LLC**

/s/ James E. Hudson III

James E. Hudson III
Texas Bar No. 00798270
CRAIN, CATON & JAMES, P.C.
1401 McKinney, Suite 1700
Houston, Texas 77010
713.752.8652
713.425.7952 Fax
jHUDSON@craincaton.com

**ATTORNEY FOR DEFENDANT
CURVES INTERNATIONAL, INC.**

/s/ Gregory L. Lippetz

Gregory L. Lippetz

Iman Lordgooei

JONES DAY

1755 Embarcadero Road

Palo Alto, CA 94303

Telephone: (650) 739-3939

Facsimile: (650) 739-3900

E-mail: glippetz@jonesday.com

E-mail: ilordgooei@jonesday.com

Attorneys for Defendant

Toni&Guy USA, LLC

/s/ Devan V. Padmanabhan

Devan V. Padmanabhan (admitted pro hac vice)

dpadmanabhan@winthrop.com

Justin H. Jenkins (#24051866)

jjenkins@winthrop.com

WINTHROP & WEINSTINE, P.A.

Capella Tower, Suite 3500

225 South Sixth Street

Minneapolis, MN 55402

Telephone: (612) 604-6411

Facsimile: (612) 604-6891

Indianapolis, IN 46204

Attorneys for Defendants

**bestbuy.com, Life Time Fitness, Inc., and Jos. A.
Bank Clothiers**

/s/ Jeffrey C. Morgan

Todd G. Vare (admitted pro hac vice)
BARNES & THORNBURG LLP
11 S. Meridian Street
Indianapolis, IN 46204
Telephone: (317) 231-7735
Facsimile: (317) 231-7433
Email: tvare@btlaw.com

Jeffrey C. Morgan
Georgia Bar No. 522667
BARNES & THORNBURG LLP
Prominence in Buckhead
3475 Piedmont Road, N.E.
Suite 1700
Atlanta, GA 30305
Telephone: (404) 264-4015
Facsimile: (404) 264-4033
Email: jeff.morgan@btlaw.com

S. Calvin Capshaw, III
State Bar No. 03783900
Elizabeth L. DeRieux
State Bar No. 05770585
D. Jeffrey Rambin
State Bar No. 00791478
CAPSHAW DeRIUEX LLP
114 E. Commerce Avenue
Gladewater, TX 75647
Telephone: (903) 233-4816
Facsimile: (903) 236-8787
Email: ccapshaw@capshawlaw.com
Email: ederieux@capshawlaw.com
Email: jrambin@capshawlaw.com

**ATTORNEYS FOR DEFENDANT
WILD BIRDS UNLIMITED, INC.**

/s/ Matias Ferrario

Matias Ferrario
NC Bar No. 38723
mferrario@kilpatricktownsend.com
KILPATRICK TOWNSEND & STOCKTON LLP
1001 West Fourth Street
Winston-Salem, NC 27101-2400
Telephone: 336.607.7300
Facsimile: 336.607.7500

Michael E. Jones
State Bar No. 10929400
mikejones@potterminton.com
Allen F. Gardner
State Bar No. 24043679
allengardner@potterminton.com
POTTER MINTON
A Professional Corporation
110 N. College, Suite 500 (75702)
P. O. Box 359
Tyler, TX 75710
Telephone: 903.597.8311
Facsimile: 903.593.0846

**ATTORNEYS FOR DEFENDANTS
AGCO CORP., LABORATORY
CORPORATION OF AMERICA HOLDINGS,
LABORATORY CORPORATION OF
AMERICA, VICTORINOX SWISS ARMY,
INC., GENESCO INC., AND SUNBELT
RENTALS, INC.**

/s/ Matias Ferrario

Matias Ferrario
NC Bar No. 38723
mferrario@kilpatricktownsend.com
KILPATRICK TOWNSEND & STOCKTON LLP
1001 West Fourth Street
Winston-Salem, NC 27101-2400
Telephone: 336.607.7300
Facsimile: 336.607.7500

Geoffrey Gavin
ggavin@kilpatricktownsend.com
KILPATRICK TOWNSEND & STOCKTON LLP
Suite 2800
1100 Peachtree Street
Atlanta, GA 30309-4528
Telephone: 404.815.6500
Facsimile: 404.815.6555

Michael E. Jones
State Bar No. 10929400
mikejones@potterminton.com
Allen F. Gardner
State Bar No. 24043679
allengardner@potterminton.com
POTTER MINTON
A Professional Corporation
110 N. College, Suite 500 (75702)
P. O. Box 359
Tyler, TX 75710
Telephone: 903.597.8311
Facsimile: 903.593.0846

**ATTORNEYS FOR DEFENDANT
THE ROCKPORT COMPANY, LLC**

/s/ Don Tiller

David H. Harper
Texas State Bar No. 09025540
david.harper@haynesboone.com
Donald E. Tiller
Texas State Bar No. 24066197
don.tiller@haynesboone.com
HAYNES AND BOONE, LLP
2323 Victory Avenue, Suite 700
Dallas, Texas 75219
Tel: 214-651-5000
Fax: 214-651-5940

**ATTORNEYS FOR DEFENDANT,
COLDWATER CREEK INC. AND ZALE
DELAWARE, INC.**

/s/ Don Tiller

Thomas J. Williams (Lead Attorney)
State Bar No. 21578500
thomas.williams@haynesboone.com
HAYNES AND BOONE, LLP
201 Main Street, Suite 2200
Fort Worth, TX 76102
Tel: (817) 347-6600
Fax: (817) 347-6650
Donald E. Tiller
State Bar No. 24066197
don.tiller@haynesboone.com
HAYNES AND BOONE, LLP
2323 Victory Avenue, Suite 700
Dallas, Texas 75219
Tel: 214-651-5000
Fax: 214-651-5940

**ATTORNEYS FOR DEFENDANT,
PROGRESSIVE CONCEPTS INC.**

/s/ Melissa R. Smith

Melissa R. Smith
State Bar No. 24001351
GILLAM & SMITH, L.L.P.
303 South Washington Avenue
Marshall, Texas 75670
Telephone: (903) 934-8450
Facsimile: (903) 934-9257
melissa@gillamsmithlaw.com

Jonathan N. Zerger
jzerger@shb.com
Beth A. Larigan
blarigan@shb.com
Admitted pro hac vice
SHOOK, HARDY & BACON LLP
2555 Grand Blvd.
Kansas City, Missouri 64108-2613
Telephone: 816.474.6550
Facsimile: 816.421.5547

**ATTORNEYS FOR DEFENDANT
CIRCLE K STORES, INC.**

/s/ David J. Healey

David J. Healey
(healey@fr.com)
Texas Bar No. 0932790
Claire M. Devine
(devine@fr.com)
Texas Bar No. 24080858
FISH & RICHARDSON P.C.
1221 McKinney, Suite 2800
Houston, Texas 77010
Phone: 713-654-4300
Fax: 713-652-0109

Clayton E. Dark, Jr.
Law Office of Clayton E. Dark, Jr.
P.O. Box 2207
Lufkin, TX 75902-1733
Phone: 936-637-1733
Fax: 936-637-2897
Email: cekrad@yahoo.com

**ATTORNEYS FOR BROOKSHIRE
BROTHERS, LTD.**

/s/ B. Lance Vincent

B. Lance Vincent
Texas Bar No. 20585580
Ritcheson, Lauffer & Vincent PC
2 American Center
821 ESE Loop 323, Suite 530
Tyler, Texas 75701
Tel: (903) 535-2900
Fax: (903) 533-8646
lancev@rllawfirm.net

Mark P. Wine (admitted pro hac vice)
Calif. State Bar No. 189897
Thomas J. Gray (admitted pro hac vice)
Calif. State Bar No. 191411
Benjamin S. Lin (admitted pro hac vice)
Calif. State Bar No. 232735
ORRICK HERRINGTON & SUTCLIFFE LLP
2050 Main St., Suite 1100
Irvine, CA 92614
Tel: (949) 567-6700
Fax: (949) 567-6710
mwine@orrick.com
tgray@orrick.com
blin@orrick.com

**ATTORNEYS FOR DEFENDANTS ACE
HARDWARE CORPORATION,
AERPOSTALE, INC., CHARLOTTE RUSSE,
INC., CHRISTOPHER & BANKS CORP.
D/B/A/ CHRISTOPHER & BANKS D/B/A CJ
BANKS, COST PLUS, INC. D/B/A COST PLUS
WORLD MARKET, DICK'S SPORTING
GOODS, INC., BABIESRUS.COM, LLC,
TOYSRUS.COM, LLC, GEOFFREY, LLC,
TOYS "R" US, INC., TOYS "R" US-
DELAWARE, INC., GENERAL NUTRITION
CENTERS, INC., GENERAL NUTRITION
CORPORATION, GSI COMMERCE, INC.,
HAGGAR CLOTHING CO., HAGGAR
DIRECT, INC., LEVI STRAUSS & COMPANY,
MEE ACCESSORIES LLC (F/K/A MARC
ECKO ENTERPRISES ACCESSORIES, LLC),
MEE DIRECT LLC (F/K/A ECKO DIRECT,
LLC) (D/B/A MARC ECKO ENTERPRISES),
MEE APPAREL LLC (F/K/A ECKO**

COMPLEX LLC), YAKIRA, LLC, MAURICES INC., NAUTICA RETAIL USA, INC., PETSMART INC., PETSMART STORE SUPPORT GROUP, INC., QUIKSILVER D/B/A ROXY, SPANX, INC., THE SPORTS AUTHORITY, INC., GROUPE DYNAMITE, INC., VERA WANG BRIDAL HOUSE LTD, AND VEW LTD.

/s/ Brian Erickson

BRIAN K. ERICKSON

Texas Bar No. 24012594

Brian.Erickson@dlapiper.com

HENNING SCHMIDT

Texas Bar No. 24060569

Henning.Schmidt@dlapiper.com

DLA PIPER LLP (US)

401 Congress Avenue, Suite 2500

Austin, TX 8701

Phone: (512) 457-7000

Fax: (512) 457-7001

**ATTORNEYS FOR DEFENDANTS
CINNABON, INC., MOE'S FRANCHISOR,
LLC, SCHLOTZSKY'S FRANCHISE, LLC,
BURT'S BEES, INC., DESTINATION
MATERNITY CORPORATION, CACHE INC.,
AND CLAIRE'S STORES INC.**

/s/ H. Arnold Shokouhi

Levi G. McCathern, II
State Bar No. 00787990
lmccathern@mccathernlaw.com
H. Arnold Shokouhi
State Bar No. 24056315
arnolds@mccathernlaw.com
McCathern Mooty Grinke, LLP
Regency Plaza
3710 Rawlins, Ste. 1600
Dallas, Texas 75219
214-741-2662 - Telephone
214-741-4717 - Facsimile

Of counsel:

William H. Mandir
Kelly G. Hyndman
Leigh Ann Lindquist
SUGHRUE MION, PLLC
2100 Pennsylvania Ave NW
Suite 800
Washington, DC 20037
Telephone: (202) 293-7060
Fax: (202) 293-7860

**Attorneys for Defendant
KAMPGROUNDS OF AMERICA, INC.**

/s/ Steven M. Hanle

Steven M. Hanle
shanle@sheppardmullin.com
Mark L. Blake
mblake@sheppardmullin.com
SHEPPARD, MULLIN, RICHTER & HAMPTON
LLP
650 Town Center Drive, 4th Floor
Costa Mesa, CA 92626
Telephone: (714) 513-5100
Facsimile: (714) 513-5130

**Attorneys for Defendant
HOT TOPIC, INC.**

/s/ David K. Anderson

David K. Anderson
SBT No. 01174100
SDT No. 7405
ANDERSON & CUNNINGHAM, P.C.
1221 Lamar, Suite 1115
Houston, Texas 77010
Telephone: 713-655-8400
FAX: 713-650-0260

OF COUNSEL:

Julie B. Cunningham
SBT No. 05240700
SDT No. 15051
ANDERSON & CUNNINGHAM, P.C.
1221 Lamar, Suite 1115
Houston, Texas 77010
Telephone: 713-655-8400
FAX: 713-650-0260

Steven A. Haber
Matthew A. Green
OBERMAYER REBMANN MAXWELL &
HIPPEL LLP
One Penn Center, 19th Floor
1617 John F. Kennedy Boulevard
Philadelphia, Pennsylvania 19103-1895
Telephone: 215-665-3000
Fax: 215-665-3165

**Attorneys for Defendant
iCIMS, Inc.**

/s/ Joel T. Beres

Joel T. Beres
Lead Counsel
Kentucky State Bar No. 84376
William Charles Ferrell, Jr.
Kentucky State Bar No. 90934
STITES & HARBISON, PLLC
400 West Market Street
Suite 1800
Louisville, KY 40202-3352
Telephone: (502) 587-3400
Facsimile: (502) 587-6391
jberes@stites.com
wferrell@stites.com

**ATTORNEYS FOR DEFENDANT
HELLO METRO INCORPORATED**

/s/ Sherry H. Flax

Sherry H. Flax, pro hac vice (Md. admitted)

sflax@saul.com

Sarah F. Lacey, pro hac vice (Md. admitted)

slacey@saul.com

SAUL EWING LLP

Lockwood Place

500 East Pratt St., 9th Floor

Baltimore, MD 21202

Tel: (410) 332-8784

Fax: (410) 332-8785

Michael E. Jones

State Bar No. 10929400

mikejones@potterminton.com

Allen F. Gardner

State Bar No. 24043679

allengardner@potterminton.com

Daniel A. Noteware, Jr.

State Bar No. 24051123

dannynoteware@potterminton.com

POTTER MINTON

110 N. College Ave., Suite 500

Tyler, Texas 75702

Tel: (903) 597-8311

Fax: (903) 593-0846

ATTORNEYS FOR DEFENDANT

U.S. VISION, INC.

/s/ James J. DeCarlo

James J. DeCarlo
decarloj@gtlaw.com
Jonathan M. Dunsay, admitted *pro hac vice*
dunsayj@gtlaw.com
GREENBERG TRAURIG, LLP
MetLife Building
200 Park Avenue
New York, New York 10166
Telephone: (212) 801-9200
Facsimile: (212) 801-6400

Mary-Olga Lovett
lovettm@gtlaw.com
State Bar No. 00789289
GREENBERG TRAURIG, LLP
1000 Louisiana Street, Suite 1700
Houston, Texas 77002
Telephone: 713-374-3541
Facsimile: 713-374-3505

Michael A. Nicodema, admitted *pro hac vice*
Attorney in Charge
nicodemam@gtlaw.com
GREENBERG TRAURIG, LLP
200 Park Avenue
PO Box 677
Florham Park, New Jersey 07932
Telephone: 973-360-7900
Facsimile: 973-301-8410

Kimberly A. Warshawsky
warshawskyk@gtlaw.com
GREENBERG TRAURIG, LLP
2375 East Camelback Road, Suite 700
Phoenix, Arizona 85016
Telephone: 602-445-8000
Facsimile: 602-445-8100

**ATTORNEYS FOR DEFENDANT
CANON U.S.A., INC.**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on August 17, 2012, to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Willem G. Schuurman

Willem G. Schuurman